

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE:

RICHARD MCKAY OSBORNE, JR.

CASE NO: 17-14920 aih

DANIEL M. MCDERMOTT  
UNITED STATES TRUSTEE

CHAPTER 7

Plaintiff

ADVERSARY PROCEEDING NO.  
18-01124 aih

Vs

RICHARD MCKAY OSBORNE, JR.  
&  
TRICIA A. OSBORNE

Defendants

**DEBTORS' ANSWER TO COMPLAINT TO REVOKE DISCHARGE PURSUANT TO  
11 U.S.C. SECTION 727(d)**

Now come the Debtors, Richard McKay Osborne, Jr and Tricia a. Osborne, through  
counsel to answer the Complaint as follows.

1. Admit
2. Admit
3. Admit
4. Admit
5. Admit
6. Admit
7. Admit
8. Admit
9. Admit

10. Admit

11. Admit

12. Admit

13. Admit

14. Admit

15. Admit

16. Admit

17. Admit

18. Admit

19. Deny

20. Admit that Defendant Richard McKay Osborne devoted approximately 40 hours to value the object, deny the remainder of the paragraph.

21. Admit

22. Deny as to the Defendant, Richard McKay Osborne, Jr., in his personal capacity.

23. Admit

24. Admit

25. Admit

26. Admit

27. Admit as to Defendant Richard McKay Osborne, deny remainder of the allegation due to want of knowledge.

28. Deny for want of knowledge.

29. Deny

30. Deny

31. Deny
32. Deny
33. Deny
34. Admit allegation only as a matter of public record.
35. Deny
36. Deny
37. Deny
38. Admit the language of the statute only.
39. deny.

#### AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff's Complaint assumes facts not in evidence.
3. Plaintiff has failed to join a necessary party.
4. Plaintiff's Complaint misrepresents facts in the allegation presented.
5. Defendants reserve the right to assert any defenses any other and further defenses as may be appropriate after discovery.

Respectfully submitted,

/s/ Heather L. Moseman  
Heather L. Moseman, Esq. (0076457)  
MOSEMAN LAW OFFICE, LLC  
Attorney for Richard M. and Tricia A.  
Osborne, Jr.  
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Mentor, Ohio 44060  
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[heather@mosemanlaw.com](mailto:heather@mosemanlaw.com)

CERTIFICATE OF SERVICE

I certify that on December 14, 2018 a true and correct copy of the DEBTORS' ANSWER TO COMPLAINT TO REVOKE DISCHARGE PURSUANT TO 11 U.S.C. SECTION 727(d) was served:

Via the court's Electronic Case filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

Scott R. Bellhorn, Office of US Trustee at [scott.r.bellhorn@usdoj.gov](mailto:scott.r.bellhorn@usdoj.gov)

And by regular U.S. Mail, postage prepaid, on:

Richard M. and Tricia A Osborne, Jr. at 9050 Jackson Street, Mentor, OH 44060

/s/ Heather L. Moseman  
Heather L. Moseman (0076457)  
MOSEMAN LAW OFFICE, LLC